

REMARKS

Amendments to the Specification

Applicant reviewed the specification prior to filing this response and found a number of editorial errors. By this amendment applicant has corrected such errors. No new matter has been added as a result of the proposed corrections.

Response to Telephone Interview, 3/21/2005

The period for response to the last Office Action, dated 12/27/2004, was restarted by Examiner due to the missing Hira et al. (hereinafter Hira) (US 5,910,864) reference on the form PTO-892, after Attorney for applicants called Examiner's attention to such omission.

Election/Restrictions

In the response filed 6/24/2004 applicant elected claims 1-27 and 40 without traverse. Also claims 34-39 were withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made without traverse in the reply filed on 6/24/2004. Examiner acknowledged the above in the Office Action of 4/11/05.

Claim Rejections – 35 USC § 102

The Examiner's position is that claims 1-5, 7, 8, 10, 14, 16-19, 22-27 and 40 are rejected under 35 USC 102(b) as being anticipated by Hira.

Applicant disagrees as to the claims as amended.

A careful examination of Hira neither suggests nor makes obvious *an intensity pattern enabling specific levels of removal of portions of the radiation sensitive corresponding to the specific intensity pattern used*. Applicant goes on further in claim 1 to provide a surface profile comprising a tapered edge *as provided by the specific intensity pattern used*.

While Hira may provide (a) coating a substrate with a radiation-sensitive layer the mere mention of "patterning" is insufficient to suggest or make obvious the *intensity pattern enabling*

specific levels of removal of portions of the radiation sensitive corresponding to the specific intensity pattern used as provided by applicant and discussed extensively in applicant's disclosure in its description FIG. 2B-2E, beginning on page 15, line 15 and ending on page 17, line 9. Numerous other references to an "intensity pattern" are scattered throughout the text to fully support applicant's position re the amended claims.

Having distinguished over Hira as provided above, Examiner's remaining objections to claims 1-4, 14, 16 and 22 are duly noted, i.e. (c) developing the image into the radiation-sensitive layer, and (d) transferring the image into the substrate to form a transducer slider having a surface profile comprising a tapered edge, but deemed not impediments to patentability in view of applicant's amendments to claim 1.

Examiner uses Hira to reject the certain of the claims as noted below:

For claims 5-6, that Hira teaches the radiation-sensitive is a positive resist;

For claims 7-8, that Hira discloses the radiation sensitive layer has a thickness of 1-20 m. (I believe that the measurement is μm)

For claim 10, that Hira discloses the radiation has an ultraviolet wavelength;

For claims 17-19, that Hira discloses the etchant comprises an Argon based gas;

and

For claims 23-27, that Hira teaches the substrate comprises a ceramic material.

While applicant recognizes certain similarities between portions of Hira and its disclosure, in light of applicant's amendments to claim 1, and the dependence of all of the above-noted claims on claim 1, all impediments to patentability as it relates to Hira under 35 USC 102(b) have been overcome.

Examiner's objections to the method in claim 40 for producing a transducer slider appear to be comparable to those set forth in his rejection of the method of claim 1 for producing a transducer slider. Applicant's response to those objections would also be comparable and therefore will not be repeated here. Please refer to applicant's arguments presented above in response Examiner's objections to claim 1. Such arguments are equally apt here in defense of the patentability of claim 40.

For the reasons set forth above Applicant respectfully requests that the proposed amendments to claim 1 be entered and that the claim rejections under 35 USC §102 be withdrawn.

Claim rejections – 35 USC § 103

Claim 9 is rejected under 35 USC 103(a) as being unpatentable over Hira in view of Dickerson, Jr. (hereinafter Dickerson) (US 6,350,506).

Examiner's position is that Hira discloses all the described features of claim 9, but does not teach or suggest the radiation is photonic. Taking the position that Dickerson teaches exposing a surface to laser radiation that is monochromatic radiation, Examiner argues that it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the radiation of Hira with photonic radiation via a laser as taught by *Block*? (The reference obviously should be to Dickerson.)

Applicant argues that the references to Dickerson are rendered moot in view of the amendments proposed to claim 1.

Claims 11-13 are rejected under 35 USC 103(a) as being unpatentable over Hira in view of Block et al. (hereinafter Block) (US 6,033,766).

Examiner takes the position that, regarding claims 11-13, Hira discloses all the described features, but does not teach or suggest the intensity pattern being provided using a grayscale mask. Applicant would argue that Hira does not teach "patterning" and that the proposed amendments to claim 1 distinguish over Hira whether considered singly or in combination with Block. Applicant goes on to argue that Hira's reference to "patterning" is sufficiently vague to negate Examiner's premise that it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the intensity pattern of Hira using a gray scale mask as taught by Block.

The rejections of claims 20-21 under 35 USC 103(a) as being unpatentable over Hira in view of Yoshida et al (US 5,331,495) are rendered moot in view of Applicant's amendments to claim 1. Claims 20-21, which set forth exposing the substrate to a liquid etchant, are dependent on amended claim 1.


For the reasons set forth above Applicant respectfully requests that the proposed amendments to claim 1 be entered and that the claim rejections under 35 USC §103 be withdrawn.

CONCLUSION

For all of the above reasons, it is submitted that the pending claims define an invention that is patentable over the art. As the application should now be in condition for allowance, a prompt indication to that effect would be appreciated. If the Examiner has any questions concerning this communication, he is welcome to contact the undersigned at (650) 251-7700.

Respectfully submitted,

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